Atty Docket No. BR029 US-02



Schneider et al.

Examiner: Nabila G. EBHRAIM

Serial No.: 10/630,375

Art Unit: 1618

Filing Date: 7/29/2003

For: Reconstitutable Formulation And Aqueous Suspension Of Gas-filled Microvesicles For Diagnostic

**Imaging** 

Certificate of Mailing and/or Transmission Under 37 C.F.R. § 1.8(a)(1)(i)(A)(ii)

I hereby certify that the following correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO (571) \_\_\_\_\_, on the date indicated below:

request for Corrected Filing Receipt Transmittal: 2 pp;

Exhibit "A": copy of red-inked Corrected Filing Receipt: 3pp;

Exhibit "B": copy of original executed Declaration: 4pp;

Exhibit "C": copy of Corrective Assignment: 2pp; and

corrected Declaration: 4pp.

Date: January 11, 2007\_

Mail Stop: Missing Parts Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

### REQUEST FOR CORRECTED FILING RECEIPT - Applicant Error

Sir:

A Corrected Filing Receipt issued on October 31, 2006 on behalf of Applicant, Feng Yan. The issuance of the Corrected Filing Receipt is appreciated.

Further review of the Filing Receipt reveals Applicant *David LAZARUS*' name was inadvertently misspelled by way of a typographical error. Applicant's attorney wishes to correct the oversight made by their error.

As the error to Applicant's name in the original Declaration was a matter of a typographical error, it is believed that the provisions of 37 CFR § 1.48 would not apply. In order to correct the error to the inventor's name so that the family name is identified correctly, a representative from the Office of Initial Examination instructed Applicants' Attorney's paralegal to submit the following documents in order for a Corrected Filing Receipt to issue:

1) a drafted Declaration showing the correct spelling of the family name:

- LAZARUS vs. LAZURAS;

2) Exhibit "A": a copy of the red-inked Corrected Filing Receipt with changes noted therein;

3) Exhibit "B"; a copy of the originally executed Declaration; and

4) Exhibit "D": a copy of the recorded Corrective Assignment which verifies *LAZARUS* is in

fact the true.

Applicants' attorney respectfully requests the issuance of a Corrected Filing Receipt directed to

the error identified on the October 31, 2006 Corrected Filing Receipt -

-- inventor David LAZURUS

Vs.

-- inventor David LAZARUS

Applicants' attorney further requests the PTO records be updated to reflect the correction(s) as

indicated in this immediate letter and revised copy of the Filing Receipt.

No fees are believed to be due in the filing of this request. However, if any fees are deemed

necessary, the Director is hereby authorized to charge such fees to Deposit Account No. 50-2168.

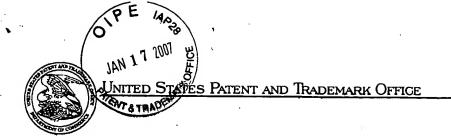
Respectfully submitted,

Dated: January 11, 2007

M. Caragh Noone, Reg. No. 37,197

Bracco Research USA 305 College Road East Princeton, NJ 08540

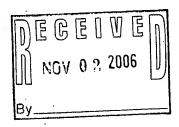
Tel: (609) 514-2454 Fax: (609) 514-2446



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alaxandria, Virginia 22313-1450 www.uspto.gov

**FILING OR 371** APPL NO. **ART UNIT** FIL FEE REC'D ATTY, DOCKET NO DRAWINGS TOT CLMS IND CLMS (c) DATE 10/630.375 07/29/2003 1618 1766 BR029-US-02 46

Bracco Research USA 305 College Road East Princeton, NJ 08540



**CONFIRMATION NO. 8951** CORRECTED FILING RECEIPT

\*OC000000021045548\*

Date Mailed: 10/31/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

### Applicant(s)

Michel Schneider, Troinex, SWITZERLAND; Feng Yan, Grand-Lancy, SWITZERLAND; Jean Brochot, Feigeres, FRANCE: David Lazurus, Saint-Julien-en-Genevois, FRANCE;

**Power of Attorney:** 

LAZARUS

M Noone-37197 Bryan Peckjian-54370

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 10/23/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/630.375** 

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Reconstitutable formulation and aqueous suspension of gas-filled microvesicles for diagnostic imaging

**Preliminary Class** 

424

### PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

12-13-2006



U.S. DEPARTMENT OF COMMERCE United States Patent and Trademark Office

Form PTO-1595 (Rev. 07/05)
OMB No. 0651-0027 (exp. 6/30/2008)

103347721

# PATENTS ONLY << CORRECTIVE DOCUMENT >>

To the Purchase of the U.S. Patent and Trademark Office: Please	record the attached documents or the new address(as) below	
To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.		
Name of conveying party(ies)     Michel SCHNEIDER Feng YAN	2. Name and address of receiving party(ies)	
Jean BROCHOT David LAZARUS	Name: Bracco Research S.A.	
	Internal Address:	
Additional name(s) of conveying party(les) attached? Yes X No		
3. Nature of Conveyance/Execution Date(s):  Execution Date(s) September 8, 2003	Street Address: 31 route de la Galaise	
Assignment Merger	Oite Plan las Overtes	
Security Agreement Change of Name	City: Plan-les-Ouates	
Joint Research Agreement	State: Geneva	
Government Interest Assignment	Country: SWITZERLAND Zip: CH1228	
Executive Order 9424, Confirmatory License		
X Other Correction of name	Additional name(s) & address(es) attached?	
4. Application or patent number(s): This d	ocument is being filed together with a new application.	
A. Patent Application No.(s):	B. Patent No.(s):	
10/630,375	D. 1 dione 110.(3).	
Reel: 014687 frame no.: 0414		
Additional numbers attached? Yes X No		
5. Name and address to whom correspondence	6. Total number of applications and patents	
concerning document should be mailed:	involved:1	
Name: M. Caragh Noone	7. Total fee (37 CFR 1.21(h) & 3.41) \$ 40.00	
Internal Address: Atty. Dkt.: BR029 US-02	Authorized to be charged by credit card	
Street Address: 305 College Road East	X Authorized to be charged to deposit account	
Street Address: 305 College Road East	Enclosed	
City: Princeton	None required (government interespnot affecting title)	
	8. Payment Information	
State: New Jersey Zip: 08540	a. Credit Card Last 4 Numbers	
Phone Number: (609) 514-2454	Expiration Date	
Fax Number: (609) 514-2446	ь. Deposit Account Number 2 50-2168	
Email Address: caragh.noone@bru.bracco.com	Authorized User Name MaCaragh Noone	
The information provided on the new cover sheet is true and correct and any copy submitted is a t rue copy of the rigidal document		
9. Signature:	<u> </u>	
Signature	Decem∯er 6, 2006 £date	
M Caragh Noone, Reg. No. 37,179	Total number of pages including vove	
Name of Person Signing	sheet, attachments, and documents 9	

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, V.A. 22313-1450

### DECLARATION AND POWER OF ATTORNEY

S a below na	med inventor, I hereby decla	re that:	
		enship are as stated below next to	my name.
This declaration	on is of the following type: (a	check one) 🛛 utility; 🔲 design;	
supplemental;	national stage of PCT		
original, first and join	_	ventor (if only one name is listed be are listed below) of the subject m invention entitled:	•
		ND AQUEOUS SUSPENSION OR DIAGNOSTIC IMAGING	OF GAS-
Application Serial No	and is/was a	ched hereto; was filed on (i) mended on (i) T International Application as amended under PCT Article 19	f
•		derstand the contents of the above- any amendment referred to above	
	the duty to disclose information in Title 37, Code of Fed	ation which is material to the pater deral Regulations, § 1.56.	ntability of
35, United States Cod inventor's certificate of other than the United this application, and h certificate or any PCT United States of Ameri	e §§ 119(a)-(d) or §§ 365(a)- or of any PCT international a States of America, filed with ave also identified below an international application(s)	ed claim foreign priority benefits un- classification(s) designating at least of the polication(s) designating at least of the polication (s) for designating application(s) for patent designating at least one country of subject matter having a filing date of the policy if any):	for patent or one country n) prior to or inventor's ther than the
Prior Foreign/PCT A	application(s)	Pri	ority claimed
(Number)	(Country)	Day/month/year filed	Yes No
(Number)	(Country)	Day/month/year filed	_□ □ Yes No

(Number) (Country) Day/month/year filed Yes No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below (if any):

Provisional Application Number Filing Date

Provisional Application Number Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
(Application Serial No.)	(Filing date)	(patent, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint the following practitioner(s): M. Caragh Noone, Reg. No. 37,197; Bryan M. Peckjian, Reg. No. P-54,370, as my attorneys and/or agents with full powers of substitution and revocation, and to receive the patent and to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Kindly direct all correspondence regarding this application to the attorney at the following address:

M. Caragh Noone Bracco Research USA 305 College Road East

Princeton, NJ 08540 Phone: (609) 514-2454 Fax: (609) 514-2446

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of first inventor: Michel Schneider	
Inventor's signature:	Date:
Residence: Troinex, Switzerland	
Citizenship: Switzerland	
Post Office Address: Route d'Annecy 34 – CH 1256 – Trois	nex/ Switzerland
Full name of second inventor: Feng Yan	
Inventor's signature:	Date:
Residence: Grand-Lancy, Switzerland	
Citizenship: France	
Post Office Address: Chemin des Champs Gottreux 7 – CH	1216 Grand-Lancey/ Switzerland
Full name of Third inventor: Jean Brochot	
Inventor's signature:	Date:
Residence: Feigères, France	
Citizenship: France	
Post Office Address: L'Agnellu – F74160 Feigères/ France	
(Check one) Sheets containing additional joint inventors	are. are not attached hereto

Full name of	fourth inventor: David Lazarus		
Inventor's sig	gnature:	Date:	
Residence:	Saint-Julien en Genevois, France		
Citizenship:	France		

Post Office Address: Rue Louis Martel 28 - F74160 Saint-Julien-en-Genevois/ France





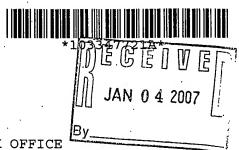
### UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 27, 2006

PTAS

M. CARAGH NOONE 305 COLLEGE ROAD E. PRINCETON, NJ 08540



UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/11/2006

REEL/FRAME: 018682/0083

NUMBER OF PAGES: 5

BRIEF: CORRECTIVE COVERSHEET TO CORRECT THE NAME OF THE ASSIGNOR THAT

WAS PREVIOUSLY RECORDED ON REEL 014687, FRAME 0414.

DOCKET NUMBER: BR029 US-02

ASSIGNOR:

SCHNEIDER, MICHEL

DOC DATE: 09/08/2003

ASSIGNOR:

BROCHOT, JEAN

DOC DATE: 09/08/2003

ASSIGNOR:

YAN, FENG

DOC DATE: 09/08/2003

ASSIGNOR:

LAZARUS, DAVID

DOC DATE: 09/08/2003

EXHIBIT "C"

### 018682/0083 PAGE 2

### ASSIGNEE:

BRACCO RESEARCH S.A.
31 ROUTE DE LA GALAISE
PLAN-LES-OUATES, GENEVA,
SWITZERLAND
CH1228

SERIAL NUMBER: 10630375

FILING DATE: 07/29/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: RECONSTITUTABLE FORMULATION AND AQUEOUS SUSPENSION OF GAS-FILLED

MICROVESICLES FOR DIAGNOSTIC IMAGING

TARA WASHINGTON, EXAMINER ASSIGNMENT SERVICES BRANCH PUBLIC RECORDS DIVISION

## DECLARATION AND POWER OF ATTORNEY

	1		_0 0
(Number)	(Country)	Day/month/year filed	
(Number)	(Country)	Day/month/year filed	Yes No
Prior Foreign/PCT A	application(s)	Pı	riority claimed
I acknowledge this application as definition	g the claims, as amended by the duty to disclose informa- ined in Title 37, Code of Fed fy below, and where indicate e §§ 119(a)-(d) or §§ 365(a)- or of any PCT international a States of America, filed with ave also identified below any international application(s)	any amendment referred to above tion which is material to the pate deral Regulations, § 1.56. ed claim foreign priority benefits -(b) of any foreign application(s) application(s) designating at least in 12 months (6 months for design y foreign application(s) for paten designating at least one country of subject matter having a filing date	entability of  under Title for patent or one country gn) prior to t or inventor's other than the
Application Serial No applicable); was No(if any	and is/was a described and claimed in PC filed on	thed hereto; was filed on mended on Tinternational Application as amended under PCT Article 1sterstand the contents of the above	∕if 9 on
RECONSTITUTA FILLI	ABLE FORMULATION A ED MICROVESICLES FO	ND AQUEOUS SUSPENSION OR DIAGNOSTIC IMAGING	OF GAS-
original, first and join	the original, first and sole in inventor (if multiple names ch a patent is sought on the	ventor (if only one.name is listed are listed below) of the subject rinvention entitled:	below) or an matter which
supplemental; 1	national stage of PCT		
This declaration	n is of the following type: (a	check one) 🛮 utility; 🔲 design;	
My residence,	post office address and citiz	enship are as stated below next to	o my name.
As a below nar	ned inventor, I hereby decla	re that:	

EXHIBIT "B"

(Number)

(Country)

Day/month/year filed Yes No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below (if any):

Provisional Application Number	Filing Date
Provisional Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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(Application Serial No.)	(Filing date)	(patent, pending, abandoned)
(Application Serial No.)	(Filing date)	(patent, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint the following practitioner(s): M. Caragh Noone, Reg. No. 37,197; Bryan M. Peckjian, Reg. No. P-54,370, as my attorneys and/or agents with full powers of substitution and revocation, and to receive the patent and to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Kindly direct all correspondence regarding this application to the attorney at the following address:

M. Caragh Noone Bracco Research USA 305 College Road East

Princeton, NJ 08540 Phone: (609) 514-2454 Fax: (609) 514-2446

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

Full name of first inventor: Michel Schneider Inventor's signature: Residence: Troinex, Switzerland Citizenship: Switzerland Post Office Address: Route d'Annecy 34 - CH 1256 - Troinex / Switzerland Full name of second inventor: Yan Feng Date: 4 September 2003 Inventor's signature: Residence: Grand-Lancy, Switzerland Citizenship: France Post Office Address: Chemin des Champs Gottreux 7 – CH 1216 Grand-Lancy / Switzerland Full name of Third inventor: Jean Brochot Date: September 04, 2003 Inventor's signature: Residence: Feigères, France Citizenship: France Post Office Address: L'Agnellu – F 74160 Feigères / France (Check one) Sheets containing additional joint inventors \( \sum \) are, \( \sum \) are not attached hereto.

Full name of fourth inventor: David Lazurus

Inventor's signature: Date: 04.09.03

Residence: Saint-Julien-en-Genevois, France

Citizenship: France

Post Office Address: Rue Louis Martel 28 - F 74160 Saint-Julien-en-Genevois / France